

REMARKS

Claim 2 is canceled without prejudice. Claims 1, 3, 5, 7 and 8 are amended. Thus, by this Amendment, Claims 1 and 3 through 9 are presented for examination.

Replacement drawing sheets (2) are submitted in which a "Prior Art" legend is added to Figure 2 as required by the Examiner.

The Examiner has indicated that Claims 2 through 6, 8 and 9, prior to current amendment, define patentable subject matter that is only objected to for dependence upon rejected base Claims 1 and 7 respectively. Claims 1 and 7 are provisionally rejected on the basis of obviousness-type double patenting in view of claims 1 and 7 of copending United States patent application 10/531,881 of Schroeder.

Applicant traverses the pending provisional rejection of Claims 1 and 7 based on obviousness-type double patenting in view of the amended language of each of those claims. Each of Claims 1 and 7 now includes the limitation "the disturbance forces are alternating forces at appropriate disturbance frequencies, with the disturbance frequencies being natural oscillation frequencies of the resonator" taken from formerly-pending Claim 2 (with "being natural oscillation frequencies"

added to correct an inadvertent error in the substitute specification; such limitation appears in the English language translation of the International application filed in this case, and is well-supported by the specification).

By amending Claims 1 and 7, the basis for rejection of such claims on double patenting is addressed and overcome. As the disturbance forces are natural oscillation frequencies of the resonator, a disturbance force is applied that does not change the stimulation oscillation (which has its own frequency) but stimulates another oscillation with another frequency. This is to be contrasted with the invention as defined in claims 1 and 7 of 10/531,881 wherein the disturbance force does change the stimulation oscillation. Furthermore, by amending Claim 1 to incorporate the limitations of former Claim 2, Applicant complies with the Examiner's former objection. Claim 7, an apparatus claim that parallels amended method Claim 1, likewise defines a nonobvious variant of the invention as defined in Claim 7 of 10/531,881.

For the foregoing reasons, all presently-pending claims of this application define patentable inventions. Prompt allowance and issuance of all presently-pending claims are therefor earnestly solicited.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Elliott N. Kramsky".

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